

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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DAVID LEIBOWITZ, et al, Individually and	:	Civil Action No. 1:19-cv-09236-KPF
on Behalf of All Others Similarly Situated,	:	(Consolidated with Case Nos. 1:20-cv-00169-
	:	KPF, 1:20-cv-00211-KPF, 1:20-cv-00453-
Plaintiff,	:	KPF)
	:	
vs.	:	[PROPOSED] ORDER GRANTING
	:	MOTION FOR APPOINTMENT OF
IFINEX INC., et al,	:	INTERIM CLASS COUNSEL
	:	
Defendants.	:	
	:	
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Having considered plaintiff Joseph Ebanks' Motion for Appointment of Interim Class Counsel ("Motion") and good cause appearing therefor, the Court ORDERS as follows:

1. The Motion is GRANTED.
2. Robbins Geller Rudman & Dowd LLP is appointed as Interim Class Counsel in the above-captioned consolidated action pursuant to Rule 23(g)(3) of the Federal Rules of Civil Procedure.
3. Interim Class Counsel shall have the following responsibilities and duties on behalf of the putative class:
  - (a) the briefing and argument of any and all motions;
  - (b) the conduct of any and all discovery proceedings;
  - (c) the examination of any and all witnesses in depositions;
  - (d) the selection of counsel to act as spokesperson at all pretrial conferences;
  - (e) the organization of meetings of plaintiffs' counsel as they deem necessary and appropriate from time to time;
  - (f) settlement negotiations with counsel for defendants;
  - (g) the pretrial discovery proceedings and the preparation for trial and the trial of this matter, and delegation of work responsibilities to selected counsel as may be required;
  - (h) the preparation and filing of all pleadings; and
  - (i) the supervision of all other matters concerning the prosecution or resolution of the consolidated action.
4. No motion, discovery request or other pretrial proceedings shall be initiated or filed by any plaintiff without the approval of Interim Class Counsel, so as to prevent duplicative pleadings

or discovery. No settlement negotiations shall be conducted without the approval of Interim Class Counsel.

5. Interim Class Counsel shall be the contact between plaintiffs' counsel and defendants' counsel, as well as the spokesperson for all plaintiffs' counsel, and shall direct and coordinate the activities of plaintiffs' counsel.

IT IS SO ORDERED.

DATED: \_\_\_\_\_

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THE HONORABLE KATHERINE POLK FAILLA  
UNITED STATES DISTRICT JUDGE